

MOLINEUX'S ORDEAL ENDS; CASE GOES OVER FOUR DAYS.

Prosecuting Attorney Osborne, After Twelve Minutes More of Pointed Questioning To-Day, Suddenly Gives Up His Effort.

Accused Man Again Took the Stand Prepared for Merciless Cross-Examination, but It Was Soon Over.

OSBORNE ADMITS HE DID NOT GET ALL HE SOUGHT

I am satisfied. That is all I have to say. We have shown that Molineux made different statements concerning his wife, or Blanche Chesebrough, to the Coroner from what he said here.

He has had wonderful training and preparation. He has had nearly four years in which to prepare for me.

It was an advantage he had over me.

No, I cannot say that I secured all I had expected.—Assistant District Attorney Osborne at the completion of the Molineux cross-examination to-day.

Justice Lambert this afternoon adjourned the Molineux trial until Wednesday morning. The Justice said he was going home to vote. Taking of expert testimony on handwriting for the defense will be resumed when the court meets again.

The last witness of to-day was Marshal Davis Ewell, a doctor and lecturer at the Illinois University. He declared that Molineux did not write the address on the poison package and that he had not written either the Cornish or Barnett letters.

PRISONER'S ORDEAL ENDS QUICKLY.

What was without doubt the surprise of the surprising Molineux case was the abandonment of the cross-examination after twelve minutes by Assistant District Attorney Osborne to-day.

To the curious crowd that had gathered in the expectation that Mr. Osborne, refreshed by sleep and by examination of his evidence, would succeed in breaking down the mask of impenetrability surrounding Molineux, the disappointment was keen. To the friends of the prisoner the sudden end of the cross-examination was a sure forerunner of acquittal.

As a matter of fact the act of Mr. Osborne was based upon the conviction on his part that he had been butting against a stone wall. He could have kept Molineux on the stand all day. But why? He had him on the stand all day yesterday!

OSBORNE'S HARD TASK.

It is hard for one who was not present to realize the difficulties of cross-examining Molineux. In the first place the cross-examination could be conducted only along lines laid out by Gov. Black in his direct examination, and these lines were laid with rare skill.

In the next place, not even Assistant District Attorney Osborne, who has eaten with, slept with and promenade with the Molineux case for close onto four years, has knowledge of it in any way approximating that of Molineux himself.

Add to this that for nearly four years Molineux has been living in the shadow of this tragedy—most of the time in jail. He has had it at his bedside in the watches of the night; it has haunted him by day. Innocent or guilty, a man in his position cannot but think of the chances for himself.

Given a man of ordinary intelligence, place him on trial for his life for eighty-eight days, give him an insight into every detail of the case against him and then give him two years to think it over—assuming that he is guilty. Nothing but softening of the brain can prevent him from putting up an impregnable front against a cross-examiner when he comes out. Given Roland B. Molineux, assuming that he is innocent, as must be assumed under similar circumstances, and what was the use of Mr. Osborne cross-examining him at all?

THE LION BECOMES A LAMB.

It was plain yesterday that Mr. Osborne knew that he was unable to wring from Molineux a single admission that would help the case of the prosecution. The witness was so suave, so good-natured, so apparently willing to help that the usually fierce Osborne was compelled by force of circumstances to become as gentle as a lamb. But he kept battering away, battering away, for he is too good a general to give up even a forlorn hope.

There is a difference of opinion as to what the result of his work was. Lawyers familiar with juries and their ways say that Molineux was too frank too obliging; that it is impossible that twelve men of widely different temperaments can be brought to believe that a man who has been once convicted of a crime could make such a free and clear explanation unless he had figured it all out.

It was on this feeling, these lawyers assert, that Mr. Osborne and Mr. Jerome depended as they went over the case point by point with the smiling defendant.

When Mr. Osborne collapsed yesterday evening he was not at the end of his case by any means. But he had been so buffeted all day that he wanted time to think and consult. In the last hour he had been working blindly.

WHY OSBORNE GAVE IT UP.

Doubtless he went over his evidence very carefully last night. The evidence against Molineux is so closely interwoven, each point is so dependent upon some other point, that most all of the testimony had been touched upon in one way or another. It became apparent to Mr. Osborne that if he kept up the cross-examination for ten hours longer he could get no further than he got yesterday.

When the Assistant District Attorney came into court this morning every person in the room with the exception of those in his confidence believed that he would take up most of the day in a merciless flaying of the defendant.

The court had allowed him more leeway yesterday afternoon than at any time since the trial began. Osborne had succeeded in getting in indirectly, the Melando and Farrell evidence, and the expectation was that he could not fail to strengthen himself.

Amazement was on every face when he gave Molineux up after twelve minutes. It was an unpleasant twelve minutes for Molineux, but he did appear to mind it. He knew what was coming after Mr. Molineux got through with the Barnett-Chesebrough end of the case, but it failed to arrest him.

There was no trace of relief in the face of Molineux when he was allowed to step down from the witness chair. It might be that he was disappointed, but his face is hard to read.

When asked what he thought of the showing he had made on the stand he said:

"Really, I am so filled with satisfaction and belief that I am almost free that I cannot speak. And, besides, I am not allowed to talk. You must see my counsel."

TURBULENT CROWD AGAIN.

As the pleasure-loving populace clamors to gain admission to the last performances of a theatrical success, so did the morbid-minded swarm and

WOMEN AT THE MOLINEUX TRIAL DISPLAY INTENSE INTEREST IN THE DEFENDANT AS HE TELLS HIS STORY ON THE STAND.



DEFENSE HAS WON A BIG VICTORY SAYS BLACK.

We have won a great victory. In the first place, the State did not introduce evidence sufficient to convict. But there was so much talk about not having put Molineux himself on the stand that I decided to let him tell his story.

Principally I wanted to disprove the general report that Molineux was afraid to take the stand.

He has fulfilled expectations entirely. He has acquitted himself, even though he had been convicted.—Former Gov. Black, Counsel for Molineux, after the cross-examination to-day.

struggle for admission to the courtroom where Roland B. Molineux is on trial for his life to-day.

There was this difference. The pleasure-loving are good-natured, smiling, care-free. The mob that struggled in the corridors of the Criminal Court Building outside the doors of Part I. was sullen, ill-tempered, unwholesome-looking, seeming or seeking to bear some weight of the misery surrounding the Adams tragedy.

The women were a weird lot. They betrayed a persistency, an unblinking disposition to get through the door, whether it be open or closed, that dismayed the policemen on duty.

A New York policeman has no equal in handling a crowd of men, but such a collection of feminine faces and voices and figures as stormed those guarding the Molineux trial would strike terror into the hearts of even a brigade of Cardiff giants.

Outer guards of bluecoats kept the crowd from the doors and allowed it to sift in so slowly that the room was only fairly well filled when the trial began. Then the police vigilance relaxed and the curious poured through the lines and stormed the entrance. From inside the room the noise from the corridor sounded like that produced by the stage mob in "The Only Way."

No audience ever waited more breathlessly for the rising of a curtain than did this audience for the arrival of Molineux.

The first question asked by the prosecutor stilled the hum in court and riveted the attention of all. The voice of the prosecutor was suppressed; there was a note of confidence. There was more of the old Osborne in his voice and attitude; the chin protruded in the Osborne way; the slant lids of the eyes were close together; there was a half leer on the visage of the prosecutor.

MOLINEUX BRACED HIMSELF.

Molineux noticed this changed attitude on the part of his tormentor and braced himself to meet it. But it was not necessary for him to brace up to an exceedingly great extent. He was so well grounded in his own case that he knew that hard moments could come to him only in spots, and this was one of the spots.

The sensation of the day arrived twelve minutes after the cross-examination began, when Mr. Osborne, after fixing in the minds of the jury that Molineux did not buy an engagement ring until eight days after the death of Barnett, announced that he was through.

A sigh of disappointment ran around the courtroom. So Mr. Osborne's new ginger and savage appearance were to go to naught! The morbid mourned.

Molineux, calm as a spring morning, withal he had been practically accused of putting a man out of the way, that he might marry a woman, tripped down the steps from the witness stand, made his way through the crowds around the reporters' tables and sat down at the rail by the side of his father.

MOLINEUX AGAIN FACES PROSECUTOR OSBORNE

Assistant District Attorney Osborne resumed his cross-examination of Molineux at 10:31 o'clock.

Q. Mr. Molineux, did Mr. Barnett pay your wife attention that a gentleman would pay to a lady before she was married? A. He paid such attention as a gentleman would pay to a lady.

Q. Did he pay her attention in the spring of 1898 and the summer? A. I believe he did.

Q. When did she refuse to marry you? A. In 1897, the fall.

Q. Wasn't it in the spring of 1898? A. No.

Q. Didn't Barnett keep up correspondence with your wife in the summer of 1898? A. I believe so. I don't know.

About Engagement Ring.

At the time you became engaged did you give her an engagement ring? A. I did.

Q. Where did you buy it? A. I do not know.

Q. Now answer my question. A. Well, I can answer it better if you do not try to drag it out of me?

Q. I'm not trying to drag it out. Tell me. A. I bought it from Richard Monroe, No. 19 John street.

Q. When did Barnett die?

This was the first reference to Barnett's death, evidence relating to which had been ruled out by the Court of Appeals.

"I think on Nov. 10, 1898," said Molineux.

Q. When did you become engaged to Blanche Chesebrough? A. Nov. 18, 1898.

Q. Now, Mr. Molineux, if you care to explain about this bill showing that you bought Miss Chesebrough an engagement ring after Barnett's death, tell it to the jury? A. On Christmas, 1897, I gave Miss Chesebrough a mizpah ring.

Then I wanted to give her an engagement ring (smiling), but she demurred. She said that she would like to be married with the mizpah ring, so I bought her a regular engagement ring.

Bought After Barnett's Death.

Q. And you bought that engagement ring after Barnett's death? A. Yes.

Q. Now, Mr. Molineux, when you were questioned by me at the Coroner's inquest you were asked: "Was there a regular engagement ring that you gave Blanche Chesebrough?" and I also said: "So there was no ordinary engagement ring?" and you answered: "No?" A. Yes.

Cleverly Parries Thrust.

Q. At that time the prosecution did not have this bill for the engagement ring showing that it was bought after Barnett's death? A. I don't know whether you did or not.

Q. But I did not ask you the same questions then? A. No. That was not my fault.

Q. And there was an ordinary engagement ring at that time? A. There was.

Q. Is this your writing? (Showing letter marked exhibit A.) A. It is.

Mr. Osborne read the letter: "My Dear Sadie: I'm to be married next Tuesday. I'm sorry to disappoint you, but this is a romance. Yours as ever, ROLAND."

Q. You were married on Tuesday, A. Yes.

Q. Did your wife receive many presents? A. Oh, there were only a few people present.

The Ordeal Ends.

"Now, Your Honor, I'm through," said Osborne, "except as far as the handwriting is concerned. If the Court desires, or if the jury or Mr. Black desires to see the defendant's handwriting, the prosecution is willing. We have plenty."

Gov. Black said no.

The Court said no.

The jury said no.

Mr. Osborne said he would like to ask

additional questions as to color making. They were unimportant, and Molineux was excused.

NOT MOLINEUX'S HAND, SAYS WRITING EXPERT.

When Molineux left the stand the name of Handwriting Expert Carvahlo was called by the defense. He was not in the room. Messengers were sent for him.

Mr. Carvahlo could not be found, and Max Gumpel, a handwriting expert, was called by the defense.

Gumpel said he had studied handwriting for thirty years and had been an undisputed witness in the Fair trial case in California, and in the Kennedy and Patrick cases here in New York.

"The writing in the Barnett and Cornish letters and that on the poison package may be similar," he said. "However, I have examined hundreds, thousands of the samples of Molineux's writing, and I am sure he did not write any of them."

Q. Did Molineux write the address on the poison package? A. He did not.

Mr. Gumpel then went into a technical analysis of the handwriting exhibits.

Contradicts State's Expert.

Experts Tyrell and Osborn said the apparent difference in the writing on the poison package wrapper to all the other writings indicated a deliberate attempt of the writer to disguise his hand.

Mr. Gumpel declared that the address was in the natural hand of the writer and that its cramped appearance was due to its having been written after the package was made up.

Justice Lambert permitted Mr. Gumpel to illustrate on the blackboard, with a view of showing for the defense that Molineux could not have disguised his handwriting so carefully as to make such a distinction as is shown between the word "Knickerbocker" in poison package address and the specimens that Molineux voluntarily submitted to the District Attorney.

Osborne's Cross-Examination.

Mr. Osborne began his cross-examination of Expert Gumpel at 1 o'clock.

Q. Mr. Gumpel, you believe that the man who wrote the address on the poison package sat down and wrote it naturally, in his own hand? A. Yes.

When he began he wrote slowly, and more quickly toward the end.

Q. Where would you expect to find disguised handwriting? A. In cases of forgery, and where the writer wanted to keep his identity under cover.

Q. Above all cases wouldn't you expect to find it in a poison case? A. No. I have found a case in a murder trial where the person wrote in his natural hand.

Q. Of all cases, would you not expect the writer of an address on a poison package to disguise the characteristics of his handwriting? A. I suppose so.

Q. Didn't you say the word "clerk" had none of the characteristics of the defendant? A. Yes.

Gets Some Admissions.

Q. Isn't the "t" below the "u"? A. Yes.

Q. Isn't there a nick on the "b"? A. Yes.

Q. Isn't the "g" below the "t" and the "u" below the "u" and the "b" above the "u"? A. That means nothing to me.

Q. Now take the defendant's handwriting. Isn't the "t" below the "u" and the "u" below the "t" and the "b" above the "u"? A. Yes.

The witness got badly mixed because of his nervousness. He became angry at Mr. Osborne, and in language with a strong German accent threatened to leave the stand.

Second Expert for Molineux.

Marshall Davis Ewell, who said he was a doctor of medicine, a doctor of laws and lecturer in the Illinois University, was the next witness. He backed Expert Gumpel in the assertion that Molineux did not write the address on the poison package. He also said that the defendant had not written the Cornish or Barnett letters.

Justice Lambert announced to the jury that he wishes to go home and vote. He adjourned the trial until Wednesday morning.

MOLINEUX'S WIFE CONFIDENT

She Is Certain Husband Will Be Cleared of Murder Charge on Present Trial Before Justice Lambert.

TELLS OF HER HOPE.

Sharing old Gen. Molineux's elation over the defendant's showing on the witness stand was the prisoner's wife, Blanche Chesebrough Molineux. She was a changed woman to-day from the nervous, oppressed creature who has told the newspaper men within the past week of the suffering she endured through her husband's unwillingness to have her at his side in the court room during the trial.

"Roland was so eager to tell his story on the witness stand during the first trial," she said to-day. "I am delighted that the opportunity was given him. He spoke like a man. We who know him felt that if he could speak out in court as he had to us that he would be cleared."

"I know how bitterly he was disappointed because his attorneys thought it best that he should not go on the stand during the first trial, but he made no complaint. He felt that his counsel were doing what in their estimation was best. But think how hard it was to remain silent during all these years."

"I know it would have been a bitter disappointment to him had the trial closed without his being permitted to testify, and yet so patient has he become during his interminable period of misfortune that he would have found no fault. But his wish prevailed, and I am glad. He can tell so much that will help to prove his innocence and refute the charges and insinuations that have been made."

"The reports say he was an excellent witness, and that the severest cross-examination of Mr. Osborne did not confuse him in the least. Of course it didn't. What has one to fear when he or she is telling the truth; when he or she has absolutely nothing to conceal? It is only those who wish to deceive and mislead who collapse or contradict under questioning. They could hurl questions at Mr. Molineux for days and the replies would not be contradictory, simply because he has no aim save to tell all he knows and to tell it truthfully. Surely his testimony of to-day, following as it did the endless but pointless testimony of the prosecution, cannot help but assist him. He talked in a manner which must have disclosed an honest heart and a desire to reveal everything in his knowledge."

"I feel absolutely confident that in a few days it will be all over and that he will be restored to freedom. The evidence presented should be sufficient to satisfy him to the eyes of every one—his friends needed no proof."

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